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Counsel for Defendant Misael Solorio

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

10 UNITED STATES OF AMERICA,) No. CR 09-00490 JW
11 Plaintiff,) STIPULATION TO CONTINUE
12 vs.) STATUS DATE;
13 MISAEL SOLORIO,) [PROPOSED] ORDER
14 Defendant.)

)

16 It is hereby stipulated between the United States of America, by and through Assistant United
17 States Attorneys Thomas O'Connell, and defendant Misael Solorio, by and through his counsel Vicki
18 H. Young, that the status date of June 15, 2009, be continued to June 29, 2009, at 9:00 a.m.

19 The reason for this continuance is that defense counsel is still reviewing the discovery
20 provided by the government and needs additional time to complete that review. Mr. Solorio is
21 currently charged in two separate indictments, and the government has additional evidence regarding
22 eight other transactions involving controlled substances and/or firearms.

Therefore the ends of justice served by such a continuance outweigh the best interest of the public and the defendants in a Speedy Trial within the meaning of Title 18 U.S.C. §3161(h)(8)(A).

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STIP AND [PROPOSED] ORDER

1 The parties stipulate that the time between June 15, 2009, and June 29, 2009, shall be
2 excluded from the period of time within which trial must commence under the Speedy Trial Act, 18
3 U.S.C. § 3161 et seq., pursuant to Title 18, United States Code, Section 3161(h)(8)(A), considering
4 the factors set forth in Section 3161(h)(8)(B). As required by 18 U.S.C. §3161 (h)(8)(B)(iv), it is
5 stipulated that the ends of justice outweigh the best interest of the public and the defendant in a
6 speedy trial and the denial of the stipulation to continue the status hearing would unreasonably deny
7 the defendants reasonable time necessary for effective preparation of the pretrial motions and
8 defense, taking into account the exercise of due diligence, and would deny the defendant continuity
9 of counsel. 18 U.S.C. §3161(h)(8)(B)(iv).

10 It is so stipulated.

11 || Dated: June 11, 2009

Respectfully submitted,

/s/ Vicki H. Young
VICKI H. YOUNG, ESQ.
Attorney for Misael Solorio

15 || Dated: June 11, 2009

JOSEPH P. RUSSIONIELLO
UNITED STATES ATTORNEY

/s/ Thomas O'Connell
THOMAS O'CONNELL
Assistant United States Attorney

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
MISAELO SOLORIO,)
Defendant.)
CR No.: CR 09-00490 JW
Deputy ORDER FOR
CONTINUANCE OF
STATUS DATE

FOR GOOD CAUSE SHOWN, IT IS HEREBY ORDERED that the status date of June 15, 2009,
is continued to June 29, 2009, at 9:00 a.m.

The Court finds the time between June 15, 2009, 2009, and June 29, 2009, is excludable from the Speedy Trial Act requirements of Title 18, United States Code, Section 3161 pursuant to Title 18, United States Code, Sections 3161(h)(8)(A) and 3161(h)(8)(B)(iv). The parties agree that the time is excludable in that the ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in an earlier trial. For these reasons, there is good cause for the continuance and failure to grant the continuance would unreasonably deny the government and the defendants reasonable time necessary for effective case preparation taking into account the exercise of due diligence under 18 U.S.C. 3161(h)(8)(B)(iv).

IT IS SO ORDERED.

DATE: June 11, 2009


JAMES WARE
UNITED STATES DISTRICT JUDGE